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07 UNITED STATES DISTRICT COURT  
08 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

09 UNITED STATES OF AMERICA, ) CASE NO. CR05-0411-JLR  
10 Plaintiff, )  
11 v. ) SUMMARY REPORT OF U.S.  
12 MANUEL DAVID HANNS, ) MAGISTRATE JUDGE AS TO  
13 Defendant. ) ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE  
14 \_\_\_\_\_ )

15 An initial hearing on a petition for violation of supervised release was held before the  
16 undersigned Magistrate Judge on August 1, 2006. The United States was represented by Assistant  
17 United States Attorney Norman Barbosa, and the defendant by Mr. Ralph Hurvitz. The  
18 proceedings were recorded on cassette tape.

19 The defendant had been charged and convicted of Bank Fraud. On or about June 19,  
20 2006, defendant was sentenced by the Honorable James L. Robart to a term of eighty-one (81)  
21 days in custody, followed by five (5) years of supervised release.

22 The conditions of supervised release included the requirements that the defendant comply

01 with all local, state, and federal laws, and with the standard conditions. Special conditions  
02 imposed included, but were not limited to, participation in a treatment for narcotic addiction to  
03 include testing to determine if he has reverted to the use of drugs, submission to search, and  
04 participation in a community corrections center program for a period of 120 days.

05 In a Petition for Warrant or Summons, dated July 31, 2006, Senior U.S. Probation Officer  
06 Felix Calvillo, Jr, asserted the following violations by defendant of the conditions of his supervised  
07 release:

08 (1) Failure to satisfactorily participate in a community corrections center program for  
09 120 days, by being terminated on or about July 21, 2006, in violation of the special condition of  
10 supervision.

11 (2) Using cocaine on or before July 21, 2006, in violation of the special condition of  
12 supervision and standard condition No. 7.

13 The defendant was advised of his rights, entered denials and this matter was set for an  
14 evidentiary hearing on August 7, 2006. Pending the evidentiary hearing, the defendant was  
15 detained. At the evidentiary hearing on August 7, 2006, the defendant was again advised of his  
16 right to a hearing on the alleged violations. He admitted violations numbers 1 and 2,  
17 acknowledging that as to violation number 1, he had been terminated from the program. He  
18 further waived any rights to an evidentiary hearing as to whether the violations occurred.

19 I therefore recommend that the Court find the defendant to have violated the terms and  
20 conditions of his supervised release as to violations numbers 1 and 2, and that the Court conduct  
21 a hearing limited to disposition. A disposition hearing on these violations has been set before the  
22 Honorable James L. Robart on Tuesday, August 22 , 2006, at 10 a..m.

01 Pending a final determination by the Court, the defendant has been detained.

02 DATED this 7th day of August, 2006.

03 s/ James P. Donohue  
04 United States Magistrate Judge

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07 cc: District Judge: Honorable James L. Robart  
AUSA: Mr. Norman Barbosa  
08 Defendant's attorney: Mr. Ralph Hurvitz  
Probation officer: Mr. Felix Calvillo, Jr.  
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